

# EXHIBIT 12



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**BODY:**

NEW YORK (TheStreet) - Tuesday was not an easy day for stocks, with double-dip fears sending the major market indexes down to big losses. In fact, the only stock among the 30 most actively traded stocks on the New York Stock Exchange to finish Tuesday's trading session up was **BP**(BP:NYSE).

BP gained more than 2% on Tuesday and was the fifth most active stock on NYSE, with more than 67 million shares traded. Of course, BP sank to a new oil-spill low share price last Friday at \$27, so its rise to \$27.67 on Tuesday was still relative to its stock price freefall over the past two months.

While BP and the U.S. Coast Guard had to call off the oil spill cleanup effort in the Gulf of Mexico due to high winds from Hurricane Alex, BP shares were provided a boost by the latest takeover rumors.

>>Hurricane Alex Halts BP Oil Spill Cleanup Effort

A report from JPMorgan Chase London investment banking affiliate JPMorgan Cazenove indicated that the major oil companies may be gearing up for a BP takeover attempt. JPMorgan cited **Exxon Mobil**(XOM:NYSE) and **Royal Dutch Shell**(RDS.A.:NYSE) as potential BP acquirers, and argued that the oil companies would seek to avoid anti-trust issues by spinning off BP's downstream business.

The BP takeover rumors are tied to fears of a BP bankruptcy, and there were also reports on Tuesday that the Federal Reserve Bank had begun an investigation of major financial firms to make sure that a BP failure would not sink the markets. Some trading firms, most notably Bank of America, have instructed traders to not accept any trades involving BP with a duration more than one year.

BP wasn't the only stock that managed to buck the pessimistic trend on Tuesday, even if it was the lone gainer among the top 30 traded NYSE stocks.

A total of five stocks on NYSE trading more than one million shares on Tuesday managed to generate positive returns. The other four stocks were: **Raser Technologies**(RZ:NYSE), **AstraZeneca**(AZN:NYSE), **IDT**(IDT:NYSE) and **Worthington Industries**(WOR:NYSE).

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AstraZeneca skyrocketed by more than \$4, to a share price of \$48.74, in the final 15 minutes of trading on Tuesday. Trading in AstraZeneca shares was at four times its average volume, near 8 million shares, with most of the volume coming late in the day.

Judge Joseph Farnan, of the U.S. District Court in Delaware, ruled late on Tuesday that the drug maker's patent on its multi-billion dollar cholesterol drug Crestor is valid, rejecting arguments from generic drug makers.

Worthington, a metals processing company, handily beat the Street estimate of 28 cents for its quarterly earnings, reporting 42 cents per share, and reported revenue for the quarter at \$626.4 million, roughly \$100 million above the Street consensus.

IDT, which rang the NYSE opening bell on Monday as part of a campaign to pitch its aggressive turnaround strategy, hit consecutive 52-week high shares prices on Monday and Tuesday.

Raser, which closed on Monday at a share price of 54 cents, was the dollar-stock winner of the day, and from the typically volatile renewable energy/electric car sector, surging 20% on Tuesday after announcing a memorandum of understanding with Hyundai to develop electric vehicles.

Over on the Nasdaq Stock Market, only one stock among the 20 biggest gainers traded more than one million shares on Tuesday: U.S. wind energy pure-play **Broadwind Energy**(BWEN:NYSE), which has seen its share price plummet in 2010 on weak recent earnings reports, was a volatile stock on Tuesday, trading more than 5 million shares and gaining close to 4%, or 9 cents, to a share price of \$2.49. Broadwind is still way off its 52-week high share price of \$12.50.

Broadwind Energy wasn't the only dollar store candidate trading up on a volatile day. **GigaMedia**(GIGM:NYSE) was up more than 12% on Tuesday, or 27 cents to a share price of \$2.45, and traded at close to three times its average daily volume, just short of the 1 million share mark on Tuesday.

The biggest market gainer on Tuesday, during the Dow Jones Industrial Average slump of 2.7%, S&P 500 slump of over 3%, and Nasdaq dive of close to 4%, was **Wainwright Bank and Trust**(WAIN:NYSE). It wasn't speculative takeover news like in the case of BP, but an acquisition of Wainwright for \$163 million in cash announced by privately held **Eastern Bank** that sent Wainwright shares up close to 95%, or a \$9 gain on Tuesday to \$18.67.

Wainwright was the biggest gainer on the Nasdaq, but its trading volume was well below the 1 million share mark. Though at more than 481,000 shares traded, Wainwright volume was astronomical compared to its daily trading volume of 6,000 shares.

-- Written by Eric Rosenbaum from New York.

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